



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10**

1200 Sixth Avenue, Suite 900  
Seattle, WA 98101-3140

OFFICE OF  
ECOSYSTEMS, TRIBAL AND  
PUBLIC AFFAIRS

September 7, 2010

Bill McFarlane  
Chugach National Forest  
3301 C Street, Suite 300  
Anchorage, Alaska 99503-3998

Re: EPA comments on the USFS Draft EIS for the Resurrection Creek Phase II Stream and Riparian Restoration Project and Hope Mining Company Proposed Mining Plan of Operations, EPA Project # 08-073-AFS

Dear Mr. McFarlane:

The U.S. Environmental Protection Agency (EPA) has reviewed the draft Environmental Impact Statement (EIS) for the proposed Resurrection Creek Stream Phase II Stream and Riparian Restoration Project and Hope Mining Company Proposed Mining Plan of Operations (CEQ No. 20100266) in accordance with our responsibilities under the National Environmental Policy Act and Section 309 of the Clean Air Act. The draft EIS evaluates a No Action alternative and two (2) action alternatives that propose restoration or protection activities along a two-mile segment of Resurrection Creek near Hope, Alaska. The draft EIS identifies Alternative 2 as the agency proposed action.

As with the previous Phase I project, EPA supports the Forest Service's efforts to restore the degraded stream channel, floodplains, and habitat conditions caused by the historical placement of mine tailings in the alluvial valley bottom of Resurrection Creek. We are particularly pleased that recent (2008) studies determined that historic mercury concentrations throughout the project are relatively low, and there is low probability of encountering mercury in the remaining tailings. This was our primary concern with Phase I.

Through the re-creation of a complex of stream channels and wetlands, the project holds great potential for restoring high quality habitat for salmon, bears, bald eagles, moose and other fish and wildlife species. Also, by allocating mining and operational area acreage outside of the restoration corridor, the potential for success for the restoration activities will be substantially increased. As a consequence, we support the selection of Alternative 2 as it would maximize the restoration efforts in the corridor, as well as amend the existing Hope Mining Company's Plan of Operations to reflect the restoration goals for the corridor. Because Alternative 3 would not include the restoration activities proposed in Alternative 2, we have identified Alternative 2 as the environmentally preferred alternative.

We do have some recommendations for your consideration in the preparation of the final EIS. It is assumed that the information gleaned from the implementation of Phase I has

contributed to the development of the proposed action. It is unclear, however, how this information has been incorporated and is being used to improve the chances of success for this project or future projects. We recommend that additional discussion be included in the final EIS regarding the "lessons learned" from Phase I.

Also, it is unclear why Phase I and Phase II were not evaluated under the same EIS, or if future restoration activities are being planned. We recommend that if future activities are being planned adjacent to the current restoration corridor, that they are included in this analysis, or that the final EIS provide a clear explanation as to why this phased approach is appropriate.

Finally, the potential impacts, and particularly cumulative impacts, relating to the mining and operations activities associated with the proposed new acreage for the Hope Mining Company should be included in the final EIS. We are particularly interested in the statements on pages 89 and 95 regarding the possibility that State water quality standards could be temporarily exceeded. We support consideration of additional best management practices and strategies that will further minimize sedimentation and avoid possible exceedance of the turbidity standard. This may include use of settling ponds or expanding the project schedule to allow for disturbance to smaller quantities of material at any given time. We recommend that such strategies be developed and incorporated into the proposed action in the final EIS.

Based on our review and evaluation, we have assigned a rating of LO (Lack of Objections) to the draft EIS. This rating, and a summary of our comments, will be published in the Federal Register. A copy of the rating system used in conducting our review is enclosed for your reference.

Thank you for the opportunity to provide comments on the draft EIS. Please contact Jennifer Curtis of my staff in Anchorage, if you would like to discuss our comments. Ms. Curtis may be reached at 907-271-6324 or [curtis.jennifer@epa.gov](mailto:curtis.jennifer@epa.gov).

Sincerely,



Christine B. Reichgott, Manager  
Environmental Review and Sediments Management Unit

Enclosure

**U.S. Environmental Protection Agency Rating System for  
Draft Environmental Impact Statements  
Definitions and Follow-Up Action\***

**Environmental Impact of the Action**

**LO – Lack of Objections**

The U.S. Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

**EC – Environmental Concerns**

EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

**EO – Environmental Objections**

EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

**EU – Environmentally Unsatisfactory**

EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

**Adequacy of the Impact Statement**

**Category 1 – Adequate**

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

**Category 2 – Insufficient Information**

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

**Category 3 – Inadequate**

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.